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U.S. BANKRUPTCY COURT
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NEWARK, NJ

2022 JUN 13 P 4:16
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JEANNE A. NAMERTON

UNITED STATES BANKRUPTCY COURT
DEPUTY CLERK
DISTRICT OF NEW JERSEY

v. Dr. Rudolf H. Hendel, Ph.D.
Dr. Catherine G. Lin-Hendel, Ph.D.
(the Hendels)

CASE NO.: 21-18847-JKS
CHAPTER: 11
HON. JUDGE
JOHN K. SHERWOOD

Alleged Debtors

Letter to Judge Sherwood on 6/13/2022 regarding continued shenanigans by Fay Servicing which are disadvantaging the Hendels in their response to Fay Servicing Opposition to the Hendel motion for a fair and honest payoff and which continue to damage the Hendels' ability to close on independent funding to pay off First and Second Mortgages.

This letter certifies that Fay Servicing through Jonathan Schwalb of Friedman Vartolo (FV) representing Fay Servicing and through January L. Hinkey, his paralegal are continuing to interfere with the Hendels' ability to defend themselves, while Fay/FV continuing to interfere with the Hendels' ability to refinance out of the existing mortgage Fay alleges to service, including preventing a timely closing of approved refinancing by Reverse Mortgage, by Fay and SPS refusing to provide honest, fair and reasonable payoff quotes required by the new lenders, thus requiring honest, fair and reasonable payoff quotes to be issued by this Court, which they have been preventing and delaying.

In FV's Certification of Service submitted with FV's supplemental opposition to debtor's motion for a fair (and honest) payoff quote, FV certified that FV had served Fay's supplemental opposition to the Hendels' home address at 26 Ridge Road using regular mail (and **only** regular mail). Even though not specifically stated, we can only assume that an honest law firm would mail the service on May 17, 2022. As of today (6/13/2022), we have not

1 received any mailing from FV sent through the US Postal Service or any other means. We only
2 became aware of the Fay Servicing electronic filing at the Court when we received SPS Service
3 from the Law Firm of Frenkel Lambert Weiss Weisman & Gordon (through Attorney Douglas
4 McDonough) which – although it took too many days after May 17 to arrive, but it did arrive,
5 informing us of the filing of SPS’ supplemental opposition, alerting us to check Pacer to see if
6 there was also a supplemental opposition filed by Friedman Vartolo. There was.

7 Without this fortuitous check, we would not have been aware of the Fay/FV filing
8 and could not have responded. (We wish to highlight the fact that contrary to attorneys, we are
9 NOT actively notified (nor having paralegals to check daily) of any new entry in Pacer in a case,
10 and we do not have the bandwidth to check for new filings daily ourselves) .

11 Such behavior of persistently delayed or even not served “certified services” and
12 other, worse false certifications, examples of which we had previously supplied to the Courts, is
13 typical for Fay/FV. We have been frequent victims of their persistent deceitful and unlawful
14 behavior, including not notifying us of Fay/FV’s filings in the past while providing false
15 certifications to the Courts that they did, causing us to miss critical deadlines because of it. This
16 is particularly true for the Foreclosure proceedings in State Court, which do not offer the
17 convenience of public electronic access through Pacer. Even worse are FV’s false certifications
18 of having filed “true and correct Proof of Standing” – which they had not, their submitting false
19 certifications of banking documents which were claimed to be true and correct, but which were
20 not, all more severe when compared to these false certifications of services.

21 We would like to point out that Fay Servicing and SPS asked for an additional two
22 weeks to study our audits and calculations to see if they could find fault or error to point out
23 and argue where, why and how they think our audits and calculations had errors or were faulty.
24 They did no such thing in their “supplemental opposition”. One can only surmise that they
25 failed to find any fault or error in the audits and calculations we presented in our 4/6/2022
26 motion for honest and fair payoff quotes. Therefore, they made no mention of such in their first
27 opposition papers but choose to pretend in the 5/4/2022 hearing that they did not even look at
28 our audits and calculations (which would be unprofessional and their own fault, if true) and use
the unprofessional pretext to ask for an additional two weeks of time to **look for faults and
errors in our audits and calculations**. Even with the additional two weeks, they made no
mention of such in their 2nd Opposition. One can only conclude that they still could not find any
fault or error in our audits and calculations. For this reason, this act was most likely another
bad-faith “running out the Hendels’ clock” delay tactic through deceiving the Court.

1 Such persistent and continued bad-faith practices, delay tactics, presenting false
2 certifications of facts, data and services by Fay/FV (while entrapping the Hendels with sham
3 "loan modification assistance" lure have been and continue to be designed to cause damage to
4 the Hendels and to steal and loot the Hendel home and home equity after they already had
5 stripped the Hendels of their prior wealth. They have been sabotaging and using delay tactics to
6 stall our refinancing with low interest conventional loans and now even pushing to cause the
7 expiration of the Hendels' already approved high interest Reverse Mortgage refinancing which
8 had been already pushed up by more than 2% from the initial 5.15% to 7.25%. They have
9 conducted many unlawful shenanigans, examples of which were already documented in Court
10 Records, such as: lying to the Courts and filing false certifications, and their first issuing more
11 than \$4.7 Million payoff quotes in combination between Fay and SPS to our refinancing lenders,
12 and then further refusing to issue reasonable, honest and fair payoff quotes to our refinancing
13 lenders while continuing to cause delays to force us into the current economic conditions with
14 rapidly increasing interest rates. Again, we were already preapproved for 2% conventional
15 refinancing in June 2021, waiting only for being 6-months out of bankruptcy, which Fay
16 servicing sabotaged by secretly putting us on a sham Sheriff-Sale List. This is a 5.25% rate
17 damage to us.

18 As we had already stated to the Court(s): before this sorry, treasonous, criminal
19 and predatory joint-venture conspiracy between BofA, Chubb and their hired thugs (the Gaetas,
20 WT and Fay including their lawyers), we had never run into a situation in which we would be
21 back-stabbed by anyone and attacked, much less by our own, long term (since 1981) banker
22 and insurer, and even less imaginable to us to be aided and abetted by the courts, just for the
23 patents we own, on which the giant multinational banks and corporations have been infringing,
24 and our home their hired thugs and their lawyers have been working to steal and loot. Every
25 step of these unbelievable predatory criminal acts result in shock and trauma in us.

26 The stress, suffering and vast damages they have inflicted on us are incalculable.
27 Recent examples are the paying of \$6,157.59 to Fay and \$3,132.02 to SPS after they have
28 diminished our earning capacity using assaults and shenanigans on and off the Courts, have
resulted in us to not being able to pay patent maintenance fees which have become due,
causing about a dozen of patent to expire due to unpaid maintenance fees. When Your Honor
issues the order for honest and fair pay-off quotes, we can immediately proceed to close the
already approve and issued Reverse Mortgage loan. With this, we may be able to get some
cash-out to reinstate these "expired" patents by paying a fairly large penalty on top of the

1 maintenance fees owed. Dr. Lin-Hendel's vintage (circa 2012) laptop died about two years ago,
2 and she has been using Dr. Hendel's small spare, though newer, but still old laptop, limping
3 along with her work on a pathetic, low power, low memory computer. With this stress, Dr.
4 Hendel has totaled two cars limiting us to just one small nearly 20-year old, two-door
5 convertible Ford Mustang since more than a year. And then there was the stress-induced
6 tripping fall of Dr. Hendel while carrying a 70kg heavy piece of equipment, breaking 2 ribs, the
7 sternum and causing a cut, missing his right eye by just a few millimeters, added by catching
8 COVID at the Morristown Hospital trauma center. All of these sufferings and stress induced
9 mishaps are well within the calculations of these Bankers and their lawyers with their unethical
10 and unrestricted warfare against us. They have been able to inflict those (and more) sufferings
and damages through deceit of the Judges involved and by abusing the tendency of those
Judges to trust lawyers.

11 It is the time to stop giving these Banks and their lawyers the undeserved trust
12 and the large leeway and consideration they have gotten till now.

13 We urge Your Honor to issue and order with fair and honest payoff amounts on
14 June 14, 2022 and to block Fay/FV and SPS from continuing to use criminal and damaging
15 shenanigans including using and abusing the Courts to preventing our refinancing with other
16 lenders.

17 We hereby certify that all statements made in the motion paper are truthful, and
18 factual to the best of our knowledge.

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20 Respectfully Submitted on June 13, 2022

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23 Dr. Rudolf H. Hendel, Ph. D. Physics
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27 Dr. Catherine Lin-Hendel, Ph. D. Physics
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UNITED STATES BANKRUPTCY COURT
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